

1 ERNEST GALVAN – 196065
KARA J. JANSSEN – 274762
2 ADRIENNE SPIEGEL – 330482
LUMA KHABBAZ – 351492
3 ROSEN BIEN
GALVAN & GRUNFELD LLP
4 101 Mission Street, Sixth Floor
San Francisco, California 94105-1738
5 Telephone: (415) 433-6830
Email: egalvan@rbgg.com
6 kjanssen@rbgg.com
aspiegel@rbgg.com
7 lkhabbaz@rbgg.com

8 SUSAN M. BEATY – 324048
CALIFORNIA COLLABORATIVE FOR
9 IMMIGRANT JUSTICE
1999 Harrison Street, Suite 1800
10 Oakland, California 94612-4700
Telephone: (510) 679-3674
11 Email: susan@ccijjustice.org

12 AMARIS MONTES*
Md. Bar No. 2112150205
13 MIRIAM R. NEMETH*
D.C. Bar No. 2112150205
14 RIGHTS BEHIND BARS
416 Florida Avenue N.W. #26152
15 Washington, D.C. 20001-0506
Telephone: (202) 455-4399
16 Email: amaris@rightsbehindbars.org
miriam@rightsbehindbars.org

17 * Admitted *pro hac vice*

18 Attorneys for Plaintiffs

19 UNITED STATES DISTRICT COURT

20 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

22 CALIFORNIA COALITION FOR WOMEN
PRISONERS et al.,

23 Plaintiffs,

24 v.

25 UNITED STATES OF AMERICA FEDERAL
BUREAU OF PRISONS et al.,

26 Defendants.

STEPHEN S. CHA-KIM*
N.Y. Bar No. 4979357
ARNOLD & PORTER KAYE SCHOLER LLP
250 West 55th Street
New York, New York 10019-9710
Telephone: (212) 836-8000
Email: stephen.cha-kim@arnoldporter.com

CARSON D. ANDERSON – 317308
ARNOLD & PORTER KAYE SCHOLER LLP
3000 El Camino Real
Five Palo Alto Square, Suite 500
Palo Alto, California 94306-3807
Telephone: (650) 319-4500
Email: carson.anderson@arnoldporter.com

NATALIE STEIERT*
D.C. Bar No. 90010655
ARNOLD & PORTER KAYE SCHOLER LLP
601 Massachusetts Avenue, N.W.
Washington, D.C. 20001-3743
Telephone: (202) 942-5000
Email: natalie.steiert@arnoldporter.com

Case No. 4:23-cv-04155-YGR

**SECOND SUPPLEMENTAL JOINT
STATEMENT REGARDING
PROPOSED CONSENT DECREE**

Judge: Hon. Yvonne Gonzalez Rogers

INTRODUCTION

The parties file this joint statement pursuant to the Court's order following the hearing on Plaintiffs' Motion for Preliminary Approval of the Consent Decree to update the Court on the Special Master's role and budget plan and prior update filed by the Parties on January 24, 2025. *See* ECF No. 441, 452.

The parties have had numerous meetings over the past month with Senior Monitor Still and her attorney Mary McNamara to discuss the plan for monitoring and the budget and reached agreement on the Senior Monitor's billing practices and general composition of the monitoring team as reflected in the updated filed January 24, 2025. ECF No. 452.

Pursuant to the process set out in the proposed Consent Decree (ECF. No. 442-2), the Monitor is required to "propose in writing to both Parties the position or positions for which they would like to hire, including a description of their duties, their hourly rate, their projected number of hours worked per week, and the term of their employment not to exceed the end date of the Consent Decree." ECF. No. 442-2 at ¶ 91. Senior Monitor Still provided the parties with this information on January 21, 2025, and also provided the Parties with the additional project management plans. Under the proposed Consent Decree, the Parties then have seven (7) days to submit, or otherwise discuss, objections or questions. The Parties did so during the meeting on January 28, 2025 and the Senior Monitor is currently reviewing the proposed budget in response to those comments. Under the Consent Decree, the Parties are then required to "work cooperatively" to accept, reject, or prescribe alternatives and are committed to continuing to do so and ensuring there are sufficient resources to ensure appropriate monitoring of the proposed Consent Decree. In order to achieve this goal, the Parties have agreed to develop a process for reviewing the budget on a regular basis to determine whether the budget need to be increased, decreased, or shifted, in certain areas and to account for the ongoing reduction in the class size due to releases and any other changes as implementation continues. This process will include quarterly meetings to discuss any requests from the Senior Monitor and her team as well as any concerns from the Parties. To the extent the Parties disagree they will utilize the dispute resolution mechanisms contained in the proposed Consent Decree.

1 Plaintiffs' Statement Regarding Scheduling

2 At this time, Class Counsel believes that there are sufficient resources available to BOP to
3 implement the Consent Decree. Plaintiffs' position is that the deadlines previously agreed to by
4 the Parties and currently set by the Court for Final Approval of the Consent Decree should remain.

5 Defendants' Statement Regarding Scheduling

6 At this time, Counsel for the United States does not have sufficient information to ascertain
7 whether BOP has sufficient resources to implement the Consent Decree, specifically with respect
8 to the Monitor's estimated fees and costs during the period of monitoring. In light of the recent
9 change in administration, the change in key personnel, and the issuance of Executive Orders that
10 may impact some provisions in the Consent Decree, the United States respectfully requests a
11 continuance of all deadlines for at least 30 days while Senior Department of Justice leadership
12 review the executed Consent Decree.

13 Pursuant to Local Rule 5-1(i)(3) the filer hereby attests that all signatories have concurred
14 in the filing of this document.

15
16 DATED: January 31, 2025

Respectfully submitted,

17 ROSEN BIEN GALVAN & GRUNFELD LLP

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19 By: /s/ Kara Janssen

20 Kara Janssen

21 Attorneys for Plaintiffs
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1 DATED: January 31, 2025

JESSE A. LASLOVICH
United States Attorney

2
3 By: /s/ Madison Mattioli

4 MADISON L. MATTIOLI

5 ABBIE J.N. CZIOK

6 MARK STEGER SMITH

TIMOTHY A. TATARKA

7 Assistant U.S. Attorneys

8 Attorneys for Federal Defendants
9
10
11
12
13
14
15
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21
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